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APR 30 2010

U.S. DISTRICT COURT  
MID. DIST. TENN.

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

Patrizia Riccardi,

Plaintiff,

v.

Robert Kessler,

Defendant

CASE NO: 3:06-0605

CASE NO: 3:06-0615

PRO SE PLAINTIFF DR. PATRIZIA RICCARDI'S  
MOTION TO VACATE JUDGMENT

*DENIED*  
*Under the law*  
*of the case doctrine, this*  
*motion is DENIED.*  
*The action will*  
*proceed only on*  
*the claims*  
*removed*  
*by*  
*the*  
*Appellate*  
*Court.*  
*File*  
*4-30-10*  
*5-20-10*

Plaintiff, Patrizia Riccardi, Pro Se, submits this motion pursuant to Fed.R.Civ.P. 60(b)(6), requesting the Court to vacate the judgment entered against Plaintiff and to reinstate this case nunc pro tunc on the basis that at the time District Court Judge Thomas Wiseman heard the case, he had an undisclosed conflict of interest in violation of 28 USC §455(a), which required his *sua sponte* recusal.

PRELIMINARY STATEMENT

This motion presents matters of general public importance in the administration of justice and the public's perception of the judiciary. Plaintiff was denied due process and a fair trial because District Court Judge Thomas Wiseman should have disqualified himself from hearing the case pursuant to 28 USC §455(a) based on his and his family's close ties with Defendant, Vanderbilt University. Judge Wiseman did not disclose his conflict of interest at the time he